UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

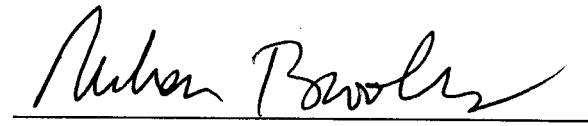|	
UNITED STATES OF AMERICA,	) Magistrate Docket No.
	)
Plaintiff,	) **'07 MJ 2343**
	)
v.	) COMPLAINT FOR VIOLATION OF: DEPUTY
	)
Aldo ZAMORAN-Lopez,	) Title 8, U.S.C., Section 1326
	) Deported Alien Found in the
	) United States
Defendant	)
	)

07 OCT -1 AM 10: 45

The undersigned complainant, being duly sworn, states:

On or about **September 28, 2007** within the Southern District of California, defendant, **Aldo ZAMORAN-Lopez,** an alien, who previously had been excluded, deported and removed from the United States to **Mexico,** was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Terri Dimolios
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **1st** DAY OF **October, 2007**

Ruben B. Brooks
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
Aldo ZAMORAN-Lopez

PROBABLE CAUSE STATEMENT

I declare under the penalty of perjury that the following statement is true and correct:

On September 28, 2007, Supervisory Border Patrol Agent R. LeNoir and Senior Patrol Agent J. Gonzalez were performing linewatch operations in the area of Summit Road and State Route 94 in Dulzura, California. At approximately 9:00 A.M., the Border Patrol Checkpoint in Jamul, California reported to agents in the field of a citizen's report of several suspicious individuals walking north on Summit Road. This area is located approximately 6 miles west of the Tecate, California Port-of-Entry and 3 miles north of the International Boundary between the United States and Mexico. This area is frequently used by illegal aliens to further their entry north into the United States.

Agents LeNoir and Gonzalez arrived in the general area of the citizen's report and observed several sets of shoe prints and a feeble attempt to conceal, or "brush out," several others. Agents LeNoir and Gonzalez tracked the shoe prints and "brush out" for approximately 30 minutes and eventually encountered 12 individuals hiding in dense brush. Agents LeNoir and Gonzalez approached the individuals, identified themselves as Border Patrol Agents, and questioned each individual regarding their immigration status. Each individual, including one later identified as the defendant ZAMORAN-Lopez, Aldo, stated they were born in Mexico and were a citizen and national of Mexico. Each individual further stated that they were not in possession of immigration documents. Each individual, including the defendant, was arrested and transported to the Border Patrol Checkpoint in Jamul, California.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **August 06, 2001** through **Calexico, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

Executed on September 29, 2007 at 10:30 a.m.

Raul Castorena
Raul Castorena
Senior Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of 1 page(s), I find probable cause to believe that the defendant named in this probable cause statement committed the offense on **September 28, 2007**, in violation of Title **8**, United States Code, Section **1326**.

Ruben B. Brooks
Ruben B. Brooks
United States Magistrate Judge

9/29/2007 at 12:15 p.m.
Date/Time